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CENTRAL FAX CENTER****JUN 06 2007****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Simon Anthony Nield

Examiner: Michael S Lowe

Serial No: 10/751,165

Art Unit: 3652

Filed: 01/03/2004

Docket No: P446

For: COLLECTION BIN FOR A LAUNDRY

June 6, 2007

Mail Stop: Non-fee Amendment  
Commissioner for Patents  
P O Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT "C"**

In response to Office Action dated 03/07/2007, please amend the claims as shown in Attachment (A), by deleting the cross-through or double bracket [ [ ] ] text and inserting the underlined text.

**COMMENTS**

Claim 1 as amended, relates to a laundry collection bin assembly in which the bin is supported on a frame resting on the floor. The bin which remains upright at all times has a mouth at its top for receiving items of laundry and a bottom door through which the laundry is discharged when the door is opened. The frame has an inclined track along which the bin is displaceable from a lowered position in which the bottom door is closed to a raised position in which the bottom door of the bin is opened so that the laundry can be discharged through the bottom of the bin.

Claims 10 and 11 have been amended to make them consistent with the amendments in claim 1.

The Examiner has totally ignored the fact that the laundry bins in all of the cited references unload from the top by tipping the bin over and none of them unload from a bottom which is opened as in applicants present invention.

With regard to the primary reference, US 6,116,849 (Fesmire) the bucket 42 is mounted in a frame 41 and is raised and rotated relative to the frame (col 6 lines 22-24) using a lift assembly 66 and a tilt assembly 68. The lift assembly moves the bucket along the inclined guide rails 74 to a raised position (Fig. 5B) where the bucket is then tilted to discharge the contents from the top (Fig. 5C).

The Examiner is equating the bucket 42 with the bin of the present invention. Even if the bucket 42 is considered a bin, the contents are discharged through its mouth by tipping it over after a lifting operation, and NOT through an open door at the bottom of the bin without tipping the bin sideways or turning it upside down.

The Examiner continues to insist that the term bottom, is a (relative term) and it sounds as though he is attempting to change the top of the bin to become the bottom merely by turning the bin over. The Examiner at this point is merely giving his opinion but has cited no technical authority to show that his opinion is correct regarding top and bottom being "relative terms". In all my over forty years of patent practice, no Examiner has ever presented me with this theory as a basis of rejecting a claim in any of the patent applications I have ever filed.

The Examiner has attempted to argue that my analogy in Amendment "B" of the cooking pan turned upside is also "relative" regarding the top. This is just not correct. If you turn the cooking pan upside down to pour the ingredients out, the bottom is still the bottom and the top is still the top.

If you are driving an automobile and it rolls over on its top. The top is resting on the ground and the bottom of the car is facing upward. The top of the car is still the top and the bottom is still the bottom.

A bottle top does not become a bottle bottom merely by turning it upside.

This same logic still applies to a laundry bin or any other kind of container. The top does not become the bottom merely by turning the bin upside down.

This is also true of the boxes shown in Tomioka (JP 54111994A). They are emptied from the top by turning them upside down and dumping the contents onto a conveyer belt.

The Examiner's opinion regarding whether top and bottom are "relative" could be argued indefinitely, however, this no longer needs to be an issue since claim 1 has been amended to further emphasize that the bin in the present invention is neither tipped sideways nor turned upside-down and clearly remains upright during the entire loading and unloading operation. This is accomplished by opening a bottom door on the bin to empty the laundry.

Neither Fessmire, Gunn, or Tomioka show the use of a bottom door which opens to empty the contents of a bin without tipping the bin or turning it upside down.

None of the cited art, either singly or in combination, discloses the invention as now claimed, that is with the items in the bin being discharged through the bottom door of the bin when the bin has been lifted to a raised position and with the bin remaining upright during the entire loading and unloading process.

It is hoped that the claims as presently further amended, will avoid the time and expense of filing an appeal, however, Applicant feels strongly enough about the patentability of the present claims, that an appeal will probably be filed if needed to obtain an allowance.

For the reasons given above it is believed that the claims as amended now should be allowable over all the cited references and such action is respectfully requested. If the Examiner still feels that there are some minor matters to be resolved, Applicant's attorney would welcome a phone call from the Examiner at the below listed phone number.

Respectfully submitted,

  
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Paul E Milliken

Signature 